

**HOFLAND & TOMSHECK**

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*Attorney for Defendant*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**-oOo-**

UNITED STATES OF AMERICA,

Plaintiff,

RICHARD ANTHONY HERNANDEZ,

Defendant.

vs.

Case No. 2:18-cr-00320-RFB-VCF

Stipulation to Continue  
Sentencing and Disposition Date

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, Acting United States Attorney, and Bianca R. Pucci, Esq., Assistant United States Attorney, counsel for the United States of America, and Joshua Tomsheck, Esq., counsel for Defendant Richard Anthony Hernandez, that the Sentencing and Disposition currently scheduled for August 5, 2021 at 10:00a.m. be vacated for sixty (60) days or to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. This is the fourth Sentencing and Disposition continuance request.
2. Sentencing in this matter previously commenced and was suspended and continued for purposes of conducting a risk evaluation. Immediately thereafter, Defendant incurred medical ailments which required quarantine and prevented him from meetings with Counsel and Experts.

3. Thereafter, counsel for the Government was in Trial, and Defense counsel was out of the jurisdiction and preparing for a federal trial in a separate matter, scheduled for August 10, 2021.
4. Defense counsel needs additional time to visit with Defendant and for Experts to interview Defendant and prepare the evaluation.
5. The Defendant is in custody and does not object to this continuance.
6. The Defendant will sign his waiver of in-person appearance.
7. The parties agree to the continuance.
8. For the above stated reasons, the parties agree that a continuance of the Sentencing and Disposition Date would best serve the ends of justice in this case.

DATED this 2<sup>nd</sup> day of August 2021.

Respectfully submitted,

CHRISTOPHER CHIOU  
ACTING UNITED STATES ATTORNEY

/s/ **Bianca R. Pucci**  
BIANCA R. PUCCI, ESQ.  
Assistant United States Attorney

/s/ **Joshua Tomsheck**  
JOSHUA TOMSHECK, ESQ.  
Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff, vs.

RICHARD ANTHONY HERNANDEZ,

Defendant.

Case No. 2:18-cr-00320-RFB-VCF

**ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. This is the fourth Sentencing and Disposition continuance request.
2. Sentencing in this matter previously commenced and was suspended and continued for purposes of conducting a risk evaluation. Immediately thereafter, Defendant incurred medical ailments which required quarantine and prevented him from meetings with Counsel and Experts.
3. Thereafter, counsel for the Government was in Trial, and Defense counsel was out of the jurisdiction and preparing for a federal trial in a separate matter, scheduled for August 10, 2021.
4. Defense counsel needs additional time to visit with Defendant and for Experts to interview Defendant and prepare the evaluation.
5. The Defendant is in custody and does not object to this continuance.
6. The Defendant will sign his waiver of in-person appearance.
7. The parties agree to the continuance.
8. For the above stated reasons, the parties agree that a continuance of the Sentencing and Disposition Date would best serve the ends of justice in this case.

1 IT IS ORDERED that the Sentencing currently scheduled for August 5, 2021 at 10:00a.m., be  
2 vacated and continued to October 14, 2021 at the hour of 11:00 a.m/p.m.

3 DATED 2nd day of August, 2021.

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6 RICHARD F. BOULWARE, II  
7 UNITED STATES DISTRICT JUDGE  
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